

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

VIRIDITY ENERGY SOLUTIONS, INC.,	§	
	§	
<i>Plaintiff,</i>	§	
	§	
VS.	§	CIVIL ACTION NO. 4:21-CV-419-SDJ
	§	
LONE STAR DEMAND RESPONSE,	§	
LLC,	§	
	§	
<i>Defendant.</i>	§	

**AFFIDAVIT OF BENJAMIN L. MESCHES  
IN SUPPORT OF CLERK’S ENTRY OF DEFAULT**

STATE OF TEXAS	§	
	§	
COUNTY OF DALLAS	§	

BEFORE ME, the undersigned Notary Public on this day personally appeared Benjamin L. Mesches, who being by me duly sworn, stated as follows:

1. My name is Benjamin L. Mesches. I am over 21 years of age, of sound mind, and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.
2. I am counsel for Plaintiff Viridity Energy Solutions, Inc. (“Viridity” or “Plaintiff”) in this case.
3. This is an action for breach of contract and declaratory judgment in Plaintiff’s Original Complaint (Dkt. No. 1) (the “Original Complaint”). Defendant Lone Star Demand Response, LLC (“Lone Star” or “Defendant”) was named in the Original Complaint, which was filed in this Court on June 2, 2021.

4. Lone Star was served through its registered agent, United States Corporate Agents, Inc., 9900 Spectrum Drive, Austin, Texas 78717, with the Citation and Original Complaint on July 6, 2021 (Dkt. 4, Ex. A).

5. Viridity filed Plaintiff's Notice of Service of Plaintiff's Original Complaint (Dkt. 4) in this Court on September 3, 2021.

6. Lone Star's time to answer or otherwise defend against this action has expired under Rule 12 of the Federal Rules of Civil Procedure.

7. While the Parties agreed to voluntarily extend Lone Star's answer deadline until September 1, 2021, Lone Star never requested an additional extension of its answer deadline.

8. Lone Star has not yet answered or otherwise defended against the Original Complaint in this Court.

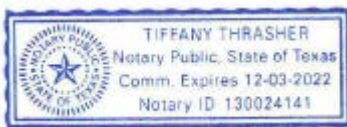
9. Neither Lone Star nor its counsel have appeared in this matter.


10. Lone Star is not an infant, incompetent, or presently in the military service of the United States, upon information and belief and as appears from the facts in this litigation.

Further affiant sayeth not.

  
\_\_\_\_\_  
Benjamin L. Mesches

SWORN TO AND SUBSCRIBED before me on this the 8th day of September, 2021.



  
\_\_\_\_\_  
Notary Public in and for the State of Texas

My commission expires: 12/3/2022